

Message

From: Schmid, Emily [Schmid.Emily@epa.gov]
Sent: 10/20/2020 11:28:04 AM
To: Echeverria, Marietta [Echeverria.Marietta@epa.gov]
Subject: RE: Hardeman - Attorney Client Privilege, Attorney Work Product, FOIA-Exempt Deliberative

Thank you, Marietta! Let me know if you need me to do any follow up on this.

From: Echeverria, Marietta <Echeverria.Marietta@epa.gov>
Sent: Monday, October 19, 2020 5:07 PM
To: Dunn, Alexandra <dunn.alexandra@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>
Cc: Schmid, Emily <Schmid.Emily@epa.gov>; Kenny, Daniel <Kenny.Dan@epa.gov>
Subject: RE: Hardeman - Attorney Client Privilege, Attorney Work Product, FOIA-Exempt Deliberative

Alex – Glyphosate is also assigned to the team working on dicamba. We understood that OGC needed our response by Wednesday. I'll see if I can identify someone from another team to help Emily out (Emily is also working on registration notices for dicamba).

From: Dunn, Alexandra <dunn.alexandra@epa.gov>
Sent: Monday, October 19, 2020 3:58 PM
To: Messina, Edward <Messina.Edward@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>
Subject: RE: Hardeman - Attorney Client Privilege, Attorney Work Product, FOIA-Exempt Deliberative

Need to help out asap.

From: Dunn, Alexandra
Sent: Monday, October 19, 2020 3:55 PM
To: Messina, Edward <Messina.Edward@epa.gov>
Subject: FW: Hardeman - Attorney Client Privilege, Attorney Work Product, FOIA-Exempt Deliberative

Alexandra Dapolito Dunn, Esq.
Assistant Administrator
Office of Chemical Safety and Pollution Prevention
US Environmental Protection Agency
Washington, DC

From: Brightbill, Jonathan (ENRD) <Jonathan.Brightbill@usdoj.gov>
Sent: Monday, October 19, 2020 2:06 PM
To: Dunn, Alexandra <dunn.alexandra@epa.gov>
Subject: RE: Hardeman - Attorney Client Privilege, Attorney Work Product, FOIA-Exempt Deliberative

Thank you!

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Jonathan.Brightbill@usdoj.gov

From: Dunn, Alexandra <dunn.alexandra@epa.gov>

Sent: Monday, October 19, 2020 1:50 PM

To: Koch, Erin <Koch.Erin@epa.gov>; Brightbill, Jonathan (ENRD) <JBrightbil@ENRD.USDOJ.GOV>

Cc: Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Oakes, Matthew (ENRD) <MOakes@ENRD.USDOJ.GOV>; Sell, Eric (ENRD) <ESell@ENRD.USDOJ.GOV>; Aranda, Amber <aranda.amber@epa.gov>

Subject: RE: Hardeman - Attorney Client Privilege, Attorney Work Product, FOIA-Exempt Deliberative

I'll convey the urgency Jon.

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Washington, DC

From: Koch, Erin <Koch.Erin@epa.gov>

Sent: Monday, October 19, 2020 1:49 PM

To: Brightbill, Jonathan (ENRD) <Jonathan.Brightbill@usdoj.gov>

Cc: Dunn, Alexandra <dunn.alexandra@epa.gov>; Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Oakes, Matthew (ENRD) <Matthew.Oakes@usdoj.gov>; Sell, Eric (ENRD) <Eric.Sell@usdoj.gov>; Aranda, Amber <aranda.amber@epa.gov>

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Hi Jon,

Yes the program is working on your questions. Unfortunately the people who work on glyphosate are quite busy with another high profile action this week so they haven't been able to get back to me yet. They were hoping to this afternoon. I'll forward along your clarifications below.

Thanks,
Erin

From: Brightbill, Jonathan (ENRD) <Jonathan.Brightbill@usdoj.gov>

Sent: Monday, October 19, 2020 1:46 PM

To: Koch, Erin <Koch.Erin@epa.gov>

Cc: Dunn, Alexandra <dunn.alexandra@epa.gov>; Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Oakes, Matthew (ENRD) <Matthew.Oakes@usdoj.gov>; Sell, Eric (ENRD) <Eric.Sell@usdoj.gov>; Aranda, Amber <aranda.amber@epa.gov>

Subject: RE: Hardeman - Attorney Client Privilege, Attorney Work Product, FOIA-Exempt Deliberative

Attorney Client Privilege, Attorney Work Product, FOIA-Exempt Deliberative

Hello Erin,

Ex. 5 AC/DP

Ex. 5 AC/DP

Thank you!

Jon

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From: Koch, Erin <Koch.Erin@epa.gov>

Sent: Friday, October 16, 2020 2:39 PM

To: Brightbill, Jonathan (ENRD) <JBrightbil@ENRD.USDOJ.GOV>

Cc: Dunn, Alexandra <dunn.alexandra@epa.gov>; Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>; Oakes, Matthew (ENRD) <MOakes@ENRD.USDOJ.GOV>; Sell, Eric (ENRD) <ESell@ENRD.USDOJ.GOV>; Aranda, Amber <aranda.amber@epa.gov>

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Jon,

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US EPA
202-564-1718

From: Cole, Joseph E. <cole.josephe@epa.gov>
Sent: Friday, October 16, 2020 1:33 PM
To: Koch, Erin <Koch.Erin@epa.gov>
Cc: Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>
Subject: FW: Hardeman - Attorney Client Privilege, Attorney Work Product, FOIA-Exempt Deliberative

FYI

From: Brightbill, Jonathan (ENRD) <Jonathan.Brightbill@usdoj.gov>
Sent: Friday, October 16, 2020 1:32 PM
To: Dunn, Alexandra <dunn.alexandra@epa.gov>; Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>
Cc: Oakes, Matthew (ENRD) <Matthew.Oakes@usdoj.gov>; Sell, Eric (ENRD) <Eric.Sell@usdoj.gov>
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Thank you Alex!

Ex. 5 AC/DP

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From: Dunn, Alexandra <dunn.alexandra@epa.gov>
Sent: Friday, October 16, 2020 12:59 PM
To: Brightbill, Jonathan (ENRD) <JBrightbil@ENRD.USDOJ.GOV>; Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>
Cc: Oakes, Matthew (ENRD) <MOakes@ENRD.USDOJ.GOV>; Sell, Eric (ENRD) <ESell@ENRD.USDOJ.GOV>
Subject: RE: Hardeman - Attorney Client Privilege, Attorney Work Product, FOIA-Exempt Deliberative

Kamila, I'll get these to the program ASAP.

Alexandra Dapolito Dunn, Esq.
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Washington, DC

From: Brightbill, Jonathan (ENRD) <Jonathan.Brightbill@usdoj.gov>
Sent: Friday, October 16, 2020 10:40 AM
To: Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Dunn, Alexandra <dunn.alexandra@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>
Cc: Oakes, Matthew (ENRD) <Matthew.Oakes@usdoj.gov>; Sell, Eric (ENRD) <Eric.Sell@usdoj.gov>
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Very good. Thank you Kamila and Joe.

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From: Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>
Sent: Friday, October 16, 2020 10:38 AM
To: Brightbill, Jonathan (ENRD) <JBrightbil@ENRD.USDOJ.GOV>; Fotouhi, David <Fotouhi.David@epa.gov>; Dunn, Alexandra <dunn.alexandra@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>
Cc: Oakes, Matthew (ENRD) <MOakes@ENRD.USDOJ.GOV>; Sell, Eric (ENRD) <ESell@ENRD.USDOJ.GOV>
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Jon,

Bob Perlis and Mark Dyner are no longer with EPA, but I'm adding Joe Cole for PTSLO. We'll work with OCSPP to set up something to address your questions.

Thanks,
Kamila

From: Brightbill, Jonathan (ENRD) <Jonathan.Brightbill@usdoj.gov>
Sent: Friday, October 16, 2020 10:33 AM
To: Fotouhi, David <Fotouhi.David@epa.gov>; Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>; Dyner, Mark <dyner.mark@epa.gov>; Dunn, Alexandra <dunn.alexandra@epa.gov>
Cc: Oakes, Matthew (ENRD) <Matthew.Oakes@usdoj.gov>; Sell, Eric (ENRD) <Eric.Sell@usdoj.gov>
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Good morning EPA colleagues,

I hope this email finds all of you well. Matt O. may already be coordinating with you, but reminder the I will be arguing on behalf of the U.S. next week in the Hardeman v. Monsanto case in the Ninth Circuit. Recall that the U.S. submitted an

amicus brief in support of Petitioner stating that FIFRA expressly preempts the plaintiff's state law failure to warn claim that Roundup should have borne a cancer warning, contrary to the EPA approved label. A copy of that brief is attached.

Ex. 5 AC/DP

Thank you,
Jon

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